SIXTH; - That the said real estate is nott susceptible of partition or division among the parties entitled to interests therein as above stated without material loss or injury and in order to make division of said interests, it will be necessary that the said real estate be sold under a Decree of this Court and the proceeds thereof divided among the parties according to their respective rights and interests.

To the end therefore; -

FIRST. That a Decree may be passed for the sale of said real estate.

SECOND; That the proceeds of sale may be distributed among the parties to this proceeding according to their respective rights and interest.

THIRD; That your Orator may have such other and further reließ as their case may require.

May ot please your Honors to grant unto your Orators the Writ of Subpoena directed to the said Isaac M.Kemp, John W.Kemp, individually, and John W.Kemp, Administrator of George M.Kemp, deceased, and W.S.Richardson, residing in Washington County, Maryland, commanding them, and each of them, to be and appear in this Cont in person, or by solicitor, on or before some day to be named therein to answer the premises and show cause, if any they have, why a Decree ought not to be passed as prayed.

And as in durty bound, etc.

Josse O.Snyder

Jacob Rohrback

Solicitors for Plaintiff's

EXHIBIT "A"

I George Thomas of Frederick County and State of Maryland being sick and weak in body, but of Sound and disposing mind, memory and understanding do make, publish and declare the following to be my last Will and Testament, that is to say;

First I order and direct that my just debts and funeral expenses be paid, and after my debts and funeral expenses are paid I Secondly give devise and bequeath to my beloved wife Mary all my property be the same Real, personal or mixed during her natural life, excepting a Special bequest which I shall give to Rebecca Ann Kessler Sister to my beloved wife aforesaid

Thirdly, After the death of my wife Mary aforesaid, I give, devise and bequeath to Rebecca Kemp (daughter of my wife aforesaid and married to a certain William Kemp) all my remaining property be the same real, personal or mixed during her natural life for her Sole, Seprate use and benefit

Fourthly, After the death of the said Rebecca Kemp, I give, devise and bequeath my real estate and such of my personal estate then remaining to the children lawfully begotten and born of the body of said Rebecca Kemp absolutely and in fee simple, to be divided and distributed among them as the laws of the State of Maryland now provide and direct.

Fifthly, To Rebecca Ann Kessler sister of my wife Mary I give and bequeath the sum of Two hundred dollars; one hundred dollars of said sum to be paid to her one year after my death and the balance viz; one hundred dollars to be paid at the end of two years after my death.

And lastly, I do hereby constitute and appoint my friend Lloyd A. Kessler to be sole executor of this my last Will and Testament, revoking and annulling all former Wills by me heretofore made ratifying and confirming this and none other to be my last Will and Testament.

In Testimony whereof I have hereunto set my hand and affixed my Seal, this thirteenth day of July in the year of our Lord one thousand eight hundred and fifty two.

Signed, Sealed, published and declared by George Thomas, the

above named Testator, as and for his dast Will and Testament, in the presence

of us, who, at his request, in his presence, and in the presence of each other

have subscribed our names as Witnesses thereto.

Geo.W.Crum Schristopher Long S

George x Thomas (Seal)
mark

True Copy Test;

Russell E.Lighter.

Register of Wills for Frederick County, Md.

G.Bowlus